

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Landon M. Price,

Plaintiff(s),

vs.

Richard K. Jones, et al.,

Defendant(s).

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Case Number: 1:12cv360

Chief Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Karen L. Litkovitz filed on May 21, 2012 (Doc. 4), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired June 7, 2012, hereby ADOPTS said Report and Recommendation.

Accordingly, plaintiff's claims against the "unknown" United States Marshal are **DISMISSED**, and plaintiff's claim challenging the adequacy of the food at the Butler County Jail is **DISMISSED** on the ground that plaintiff has failed to state a claim upon which relief may be granted under 42 U.S.C. § 1983. *See* 28 U.S.C. §§1915(e)(2)(B) and 1915A(b). Only plaintiff's claims against the Butler County Sheriff and Warden of the Butler County Jail pertaining to the alleged denial of medical treatment and a Kosher diet will be allowed to proceed. *See* 28 U.S.C. § 1915 (e)(2)(B).

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court